THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.3064 of 2007

26.4.2007

Between:

Gundla Donakanti Ganga Ram, S/o.Muttenna
And another

… Petitioners

AND

The District Collector, Nizamabad District
And another

… Respondents

THE HON'BLE SRI JUSTICE V.V.S.RAO

WRIT PETITION No.3064 of 2007

ORDER:

The land admeasuring Acs.5.00 in survey No.1858 situated at Thimmapur village of Morthadu Mandal in Nizamabad District, was initially assigned to one Chakali Istari. The assignment was cancelled and land was resumed as Istari was found not eligible. Having come to know this, petitioners herein, who claim to be landless poor persons, made application to the Mandal Revenue Officer, Morthadu Mandal (MRO) – second respondent herein; for assignment of the said land. The application was not taken up due to pendency of writ petition being W.P.No.26104 of 2000 filed by Chakali Istari against the cancellation orders. Be that as it is, when the said writ petition is pending, petitioners filed an application for impleadment. The same was ordered on 10.2.2006 in WPMP No.8305 of 2005. Subsequently, by order dated 06.4.2006, this Court disposed of W.P.No.26104 of 2000 directing the MRO to consider the case of the petitioners, if they are eligible for assignment. Alleging that their claim has not been considered, the present writ petition is filed.

After getting instructions in the matter, learned Assistant Government Pleader for Revenue (Assignment) does not specifically dispute or deny that MRO has yet to consider the request of petitioners. If that be so, the MRO may consider the request of the petitioners for assignment of suitable land – if they are found to be eligible for assignment – within a period of eight weeks from today. This Court observes that a landless poor person has no right to seek assignment of a particular land in particular survey number. This observation would be sufficient redressal for the petitioners.

The writ petition, with the above observation, is accordingly disposed of. No costs.

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(**V.V.S.RAO, J**)

April 26, 2007.
YS